

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRACY LEE HURST-CASTL,

Case No.: 2:25-cv-00752-APG-NJK

Plaintiff

Order

v.

SABLES, LLC,

Defendant

Tracy Lee Hurst-Castl has filed an ex parte motion to enforce a state court temporary restraining order (TRO) prohibiting Sables, LLC from taking various post-purchase actions related to the subject property. A Nevada state court entered the TRO on April 25, 2025. ECF No. 27 at 13-15. Sables removed the case to federal court before the state court could hold a hearing for a preliminary injunction. ECF No. 1.

A state court ex parte temporary restraining order “remains in force after removal no longer than it would have remained in effect under state law” or no longer than the limit imposed by Federal Rule of Civil Procedure Rule 65(b) after the date of removal. 28 U.S.C. § 1450; *Granny Goose Foods, Inc. v. Bhd. of Teamsters and Auto Truck Drivers Local No. 70 of Alameda Cnty.*, 415 U.S. 423, 439-440 (1974). Both Nevada and federal rules state that an ex parte temporary restraining order expires after 14 days if not extended by the court. Fed. R. Civ. P. 65(b)(2); Nev. R. Civ. P. 65(b)(2). The April 25, 2025 state court TRO therefore expired on June 9, 2025.

Because the state court TRO is no longer in effect, I construe Hurst-Castl’s motion as one for a new TRO seeking to enforce the same status quo conditions of the prior one. *See United States v. Qazi*, 975 F.3d 989, 993 (9th Cir. 2020) (directing courts to “construe pro se pleadings

1 liberally” (quotation omitted)). Hurst-Castl has not shown in writing her efforts to give notice of
2 this motion to Sables or reasons why notice is not required, so I decline to decide this motion ex
3 parte, and I will allow Sables an opportunity to respond. Fed. R. Civ. P. 65(b)(1)(B).

4 I THEREFORE ORDER the clerk of court to send by email a copy of this order and
5 Tracy Lee Hurst-Castl’s emergency motion (ECF No. 27) to Sables, LLC’s counsel of record and
6 to mail a copy of this order to Tracy Lee Hurst-Castl. Sables, LLC may file a response by **June**
7 **23, 2025 at 5:00 PDT.**

8 DATED this 18th day of June, 2025.

9
10 

11 _____
ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23